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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,208

04/28/2005

Antony Morton

P27775

6774

7055 7590 07/25/2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

CHOI, PETER Y

ART UNIT

PAPER NUMBER

1794

NOTIFICATION DATE

DELIVERY MODE

07/25/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10532208	4/28/2005	MORTON, ANTONY	P27775

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EXAMINER

Peter Y. Choi

ART UNIT**PAPER**

1794

20080717

DATE MAILED:

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Commissioner for Patents

Regarding Applicants' request to restart the period for response, Applicants submissions are persuasive and the period for response is restarted with this communication.

Regarding Applicants' request to reconsider the Amendment of January 2, 2008, Applicants' amendment and remarks of January 2, 2008, remain non-responsive. Claims added by amendment following action by the examiner to an invention other than previously claimed, should be treated as indicated by 37 CFR 1.142 and 1.145. 37 CFR 1.145 states that if, after an office action on an application, the applicant presents claims directed to an invention distinct from and independent of the invention previously claimed, the applicant will be required to restrict the claims to the invention previously claimed if the amendment is entered, subject to reconsideration and review as provided in § 1.143 and 1.144.

The amendment filed on January 2, 2008, amending the claims such that they are drawn to a non-elected apparatus invention is non-responsive since the newly submitted claims are directed to an invention that lacks unity with the invention originally claimed. Originally presented claims were drawn to a multilayer dewatering fabric classified in class 442, subclass 181. Currently amended claims are drawn to an apparatus comprising a multilayer dewatering fabric and a dynamic condensation drying apparatus, classified in class 162, subclass 232. As set forth in the Restriction Requirement of April 5, 2007, and the Non-Final Rejection of August 2, 2007, at least one independent claim of the application does not avoid the prior art, as demonstrated by the "X" reference on the International Search Report and USPN 5,194,121 to Taguchi. Therefore, the special technical feature of the application is anticipated by or obvious in view of the prior art. Consequently, the invention does not relate to a single general inventive concept under PCT Rule 13.1. As set forth above, Applicants are required to restrict the claims to the product comprising a multilayer dewatering fabric as previously claimed and examined.

Since Applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, the claims are withdrawn from consideration as being directed to a nonelected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the above-mentioned amendment appears to be a bonafide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/Peter Y Choi/
Examiner, Art Unit 1794

/Andrew T Piziali/
Primary Examiner, Art Unit 1794

PTO-90C (Rev.04-03)